

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

----- X	
NANCY BROOKS AND JOAN SILVERMAN,	:
	:
Plaintiffs,	:
	:
	Civil Action
	No. 05-10994-WGY
v.	:
	:
AIG SUNAMERICA LIFE ASSURANCE	:
COMPANY,	:
	:
Defendant.	:
----- X	

**DEFENDANT'S LOCAL RULE 16.1(D)(3) CERTIFICATION**

Pursuant to Local Rule 16.1(D)(3), the undersigned counsel and duly authorized representative of AIG SunAmerica Life Assurance Company, have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: November 7, 2005  
Boston, Massachusetts

Respectfully submitted,

/s/ Gavin D. Friedman  
Gavin D. Friedman  
Associate General Counsel  
AIG SunAmerica Life Assurance Company  
1 SunAmerica Center  
Los Angeles, California 90067

/s/ James R. Carroll  
James R. Carroll (BBO #554426)  
Michael S. Hines (BBO #653943)  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
One Beacon Street  
Boston, Massachusetts 02108  
(617) 573-4800

Counsel for Defendant  
AIG SunAmerica Life Assurance Company